

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20580

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In the Matter of

Policies and Rules Implementing
the Telephone Disclosure and Dispute
Resolution Act

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

CC Docket No. 93-22
RM - 7990

REPLY COMMENTS
OF THE
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION

These reply comments are submitted by the National Telephone Cooperative Association ("NTCA") in response to the April 19, 1993, comments of various parties in this proceeding. NTCA is an association of nearly 500 small local exchange carriers ("LECs") that provide telecommunications services in sparsely populated and mostly rural areas in the United States.

DISCUSSION

I. THE COMMISSION SHOULD NOT REQUIRE LECS TO PROVIDE SELECTIVE

to have access. This is the first alternative. Cincinnati's current switches have the capability to screen only on 6-digits (NPA-NXX), not 10-digits (NPA-NXX-XXXX). According to Cincinnati, the second alternative would require intelligent network capabilities which would permit a 10-digit look up similar to 800 Data Base Service and require the billing entity to incur a per query charge. Cincinnati further states that it does not anticipate deploying this technology until the late 1994 time frame.² Other parties agree with Cincinnati and point out, in addition, that it is unclear whether there would be any significant consumer demand for a selective blocking capability.³

NTCA agrees that it would certainly be premature for the Commission to require that carriers deploy intelligent network capabilities merely to enable selective blocking of pay-per-call services. It would be particularly inappropriate to require small carriers like NTCA's members to invest in technologies to achieve selective blocking of services which, for the most part, are of marginal interest to subscribers in rural areas.

The Commission also asks whether different types of intrastate pay-per-call programs should be assigned to certain designated office codes and whether different codes could be employed for different types of pay-per call programs. It states

² Id. at 4.

³ See, e.g., Bell Atlantic April 19, 1993, Comments at 6.

that such a requirement might be in the public interest because
it would increase a consumer's ability to distinguish the
specific type of pay-per-call service at issue. In the

or another, into calls the consumer pays for) puts the responsibility on the wrong party, i.e., the common carriers, instead of the pay-per-call providers. The South Carolina Telephone Coalition and the United States Telephone Association suggests that the Commission should expressly prohibit collect calls using 800 numbers.⁵ NTCA agrees that abuses by service providers should be curbed and urges the Commission to place responsibility on those entities that can control abusive practices. It also agrees with the position of Bell Atlantic and others that carriers that have no way of distinguishing collect pay-per-call services from any other collect call should not be prohibited from billing for these calls which they cannot identify.⁶

III. THE COMMISSION SHOULD NOT REQUIRE THAT CARRIERS PROVIDE INFORMATION PROVIDERS' NAME AND ADDRESS INFORMATION ON TELEPHONE BILLS.

One of the issues the Federal Trade Commission ("FTC") raised in its parallel proceeding in this matter is whether service providers' name, address and other information should be required on billing statements containing pay-per-call charges. In its comments in the FTC proceeding NTCA stated that it did not favor such a requirement. NTCA pointed out to the FTC and reiterates here its agreement with both the FTC and this

⁵ April 19, 1993, Comments of South Carolina at 3, USTA at 8.

⁶ Bell Atlantic April 19, 1993, Comments at 4. See also, April 19, 1993, Comments of Cincinnati Bell at 2, GTE Service Corporation at 6-7.

Commission's position that the Telephone Disclosure and Dispute Resolution Act ("TDDRA") requires description of the service but not identification of the pay-per-call provider.⁷ NTCA also pointed out that service providers are the only ones who can assure the continuing accuracy of information meant to identify them. Therefore, if anyone is to provide identification information, it is reasonable to place this obligation on pay-per-call providers. They are in the best position to provide that information to the consumer on a current basis and in an accurate format in the preambles they must include with their services.

The Commission should not require carriers to provide this information on telephone bills because the TDDRA neither requires nor contemplates such a rule and consumers will garner no benefits from a rule which in practice is more likely to confuse than inform. NTCA believes it would be confusing to include on the billing statement, one set of information related to the provider or providers' address(es) while at the same time requiring another set with the local or toll-free telephone numbers that callers can utilize to get the name, telephone number, and mailing address of any provider offered by the carrier. Proposed 47 C.F.R. § 64.1509 will require common carriers or their LEC billing and collection agents to provide these telephone numbers. In addition, as far as NTCA is aware, current billing and collection contracts would require amendment to define the obligations of IXC's and LEC's if the Commission were

⁷ See, 47 U.S.C. § 228(4)(d).

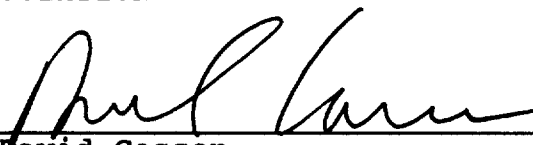
to require this information on billing statements. This further complication and the additional costs to consumers of changing billing formats can be avoided by requiring name and address information in the preamble rather than the billing statement.

CONCLUSION

NTCA asks the Commission to adopt rules that accord with its recommendations.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Rita H. Bolden, certify that a copy of the foregoing Reply Comments in CC Docket No. 93-22/RM-7990 of the National Telephone Cooperative Association was served on this 4th day of May 1993, by first-class, U.S. Mail, postage prepaid, to the following persons on the attached list:

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